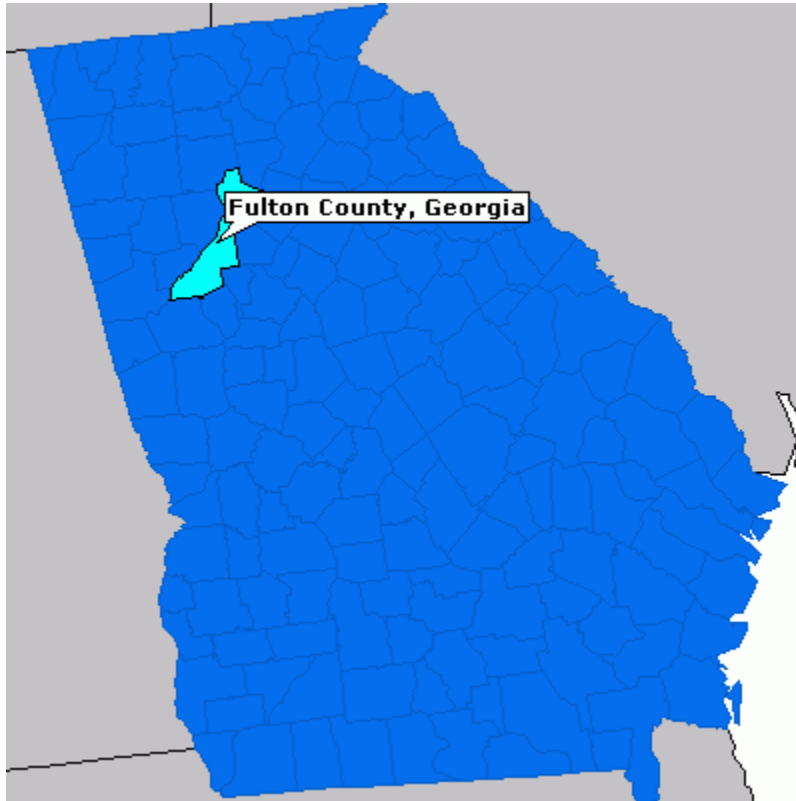


**NSP SUBSTANTIAL AMENDMENT/  
ABBREVIATED ACTION PLAN**

**HOUSING AND HUMAN SERVICES DEPARTMENT**



**FULTON COUNTY**



**DCA SUBMISSION: APRIL 15, 2011**

**NSP 3 GRANTEE INFORMATION:**

|   |  |
|---|--|
| Jurisdiction(s):<br><u>Fulton County Government:</u><br><u>Housing and Human Services</u> | NSP 3 Contact Person: Lolita S. Collins<br>Address: 137 Peachtree Street, SW<br>Atlanta, GA 30303<br>Telephone: 404-612-8067 |
| Jurisdiction Web Address:<br>www.fultoncountyga.gov                                       | Fax: 404-893-6620<br>Email:<br>Lolita.Collins@fultoncountyga.gov   |

The Neighborhood Stabilization Program (NSP 3) is authorized under Section 1497 of the Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) of 2010 (Pub. L. 111-203, approved July 21, 2010) for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties. The State of Georgia will receive \$50,421,988 in NSP 3 with fourteen (14) NSP 3 entitlement jurisdictions eligible to receive to receive \$31,742, 011 in direct allocation through the U.S. Department of Housing and Urban Development (HUD) with the Georgia Department of Affairs (DCA) receiving \$18, 679,977. Fulton County will receive \$3,094,885 in federal funds and is now submitting an application to secure state NSP 3 funds from DCA. This Substantial Amendment represents a diligent planning and application effort by Fulton County to secure these NSP 3 state funds to address critical housing needs in the County's highest risk census tracts due to foreclosures, abandonment and blight

***A. AREAS OF GREATEST NEED*****Identify the specific geographic areas of greatest need in the grantee's jurisdiction.**

**Note:** Each grantee must use the HUD Foreclosure Need website (<http://www.huduser.org/portal/datasets/NSP.html>) to submit to HUD the locations of its NSP3 areas of greatest need. On this site, HUD provides estimates of foreclosure need and a foreclosure related needs scores at the Census Tract level. The scores range from 1 to 20, with the higher scores indicating census tracts with the HUD-estimated greatest need. The neighborhood or neighborhoods identified by the NSP3 grantee as being the areas of greatest need must have an individual score for the grantee's identified target geography that is not less than the lesser of 17 or the twentieth percentile most needy score in an individual state. HUD provides the minimum threshold for each state at its website at [www.hud.gov/nsp](http://www.hud.gov/nsp). If more than one neighborhood is identified in the Action Plan, HUD will average the neighborhood NSP3 scores, weighting the scores by the estimated number of housing units in each identified neighborhood.

**Response:**

Fulton County has been allocated \$3,094,885 in federal NSP funds as part of a \$1 Billion award to stabilize neighborhoods hard hit by foreclosure. It is provided under the Dodd-Frank Wall Street Reform and Consumer Protection Act to address foreclosed and abandoned properties within the County's jurisdiction, excluding the entitlement cities of Atlanta, Johns Creek and Sandy Springs. In order to comply with the NSP 3 requirement that funds be concentrated in the highest needs census tracts the County utilized the mapping tool on the HUD USER website that shows foreclosure related risk scores for each census tract. HUD developed scores for census tracts that estimated the risk for foreclosure based on four key variables:

- whether or not loans are high cost or highly leveraged in the census tract;
- if home values in the metropolitan areas have fallen and by how much;
- the unemployment rate in 2008; and
- whether or not that unemployment has changed between 2007 and 2008.

The HUD mapping tool assists in the preparation of data to draw the exact location of targeted neighborhoods. The tool also calculated the number of housing units, Neighborhood NSP 3 Scores, and a minimum threshold NSP 3 score for each targeted area. Using the minimum scoring criterion of a average of at least nineteen (19) will allow funds to be directed to those areas with the highest percentage of home foreclosures, highest percentage of homes financed by subprime mortgage related loans, and the percentage of low-, moderate- and middle-income (LMMI) less than 120% area median income for each area will better ensure sufficient funds to address the number of units per eligible census tract required to achieve greatest impact. The County reviewed 22 census tracts with a score of 19 and above for this State application and determined where the funding would create the most significant impact.

| NSP 3 Allocation Amount                               | Estimated Greater of Foreclosure Starts or REO completions in greatest need neighborhoods (3+ years) | Homes 90+ days vacant in greatest need neighborhoods (USPS, March 2010) | Unemployment Change June 2005-June 2010 (BLS)         |
|---|--|---|---|
| \$3,094,885   | 8,810  | 4,947   | 4.4%  |
| Percent Loans Low Cost/High Leverage 2004-2007 (HMDA) | Percent Loans High Cost/High Leverage 2004-2007 (HMDA)   | Percent Loans High Cost/Low Leverage 2004-2007 (HMDA)                   | Metro Area Decline in Home Price Since Maximum (FHFA) |
| 12.1%   | 9.1%   | 12.0%   | -11.6%  |

**\* HMDA = Home Mortgage Disclosure Act, USPS = United States Postal Service, BLS= Bureau of Labor Statistics**

Based upon the available mapping data from HUD, Fulton developed maps. Each map contains the associated census tract number, estimate serious delinquency, the number of units, the targeted score, percentage of LMMI less than 120%, Percentage of low, moderate less than 80% of AMI, estimate foreclosure starts, Real Estate Owned (REO) foreclosure completed, and HMDA (Home Mortgage Disclosure Act) percentage of mortgage executed to be used in this prioritizing process:

1. Fulton County's Foreclosure Risk Score by census tract reflects shows HUD's ranking of each block group on the risk for future foreclosures
2. Fulton County's Home Mortgage Disclosure Act High Cost Loan Rate shows the percentage of high cost loans in each census tract.
3. Fulton County's Percentage of Households with Less Than 120% of Average Median Income by Block Group) indicates the percent of the population in each area of the County's that has income within the 120% of median income requirement of the program.

There were a total of 294 census tracts in the Fulton County jurisdiction reviewed for potential NSP 3 federal investments. Based upon the scoring system methodology from

HUD, census tracts were selected in District 7. Areas in District 7 were selected for funding under NSP I because District 7 has the greatest concentrated need of all the Commission Districts in the County with a score more than twice as high as the next highest District. This is the area with the greatest concentration of low- and moderate-income households in the County and with the most abandoned and foreclosed residential properties outside of the City of Atlanta. Under NSP I it was determined that the best way to delineate geographic priority areas were through the use of the existing County Commission District borders. Under NSP I, Fulton obligated 100% of both the federal and state awards totaling \$11,060,031.86. The County was successful in acquiring and rehabbing 77 homes, with 23 properties sold to qualified homebuyers. While the NSP 3 funding may be utilized for the same variety of NSP I eligible activities, the County took in consideration market conditions, available funding and capacity when designing the NSP 3 program. The HUD mapping tool was used to determine the targeted areas. Fulton is proposing essentially the same high-foreclosure target geography for its NSP 3 application as was proposed for its NSP I program. The County intends to focus efforts and be able to assist the most critical areas and have maximum impact on revitalizing distressed communities.

### **Commission District 7**

District 7 clearly has the greatest need of all the Commission Districts in the County with many of the 158 census tracts reflecting a score of 18 or above. Mapping data is included in Appendix I. This area has the highest concentration of low- and moderate-income households in the County with the most abandoned and foreclosed residential properties outside of the City of Atlanta. In addition to having a high score on HUD's foreclosure risk indices, this target area has an elevated rate of serious delinquencies and a high concentration of lender-owned foreclosed properties. This area has scores more than twice as high as the next highest District and Atlanta is excluded. In an effort to adequately address rapidly declining neighborhoods, the County has chosen four potential census tracts to invest using federal funds: 10508 block group 2, 10509 block group 1, 10510 block group 5 and 10511 block group 1. The County is now adding other nearby areas with these same census tracts of 10513 and 10514 for the State funds. The County will obtain foreclosure information, define if the properties are eligible based on the HUD defined foreclosure and abandoned definition, and acquire the required HUD defined impact units.

**Project target area:** The targeted site is a parcel located north of downtown, between Golightly and Todd Streets. This neighborhood is considered to possess the single largest concentration of blighted structures in the City of Fairburn. A map is included in Appendix A.

**Area streets:** Golightly Street, Margaret Street, Aderhold Street, Orchard Street between Aderhold and Margaret, and Dodd Street from W. Campbellton to Golightly. The western end of Fairburn's Lightin' Community, located a short walk from the center of downtown, just two blocks west of Highway 29/West Broad Street and two blocks north of Highway 92/W. Campbellton Street. The current residents of the target area are a mix of lower-income property owners and renters. The proposed population to be served by the NSP 3 funds will be low-to-moderate income seniors through the creation of a 60-unit senior housing facility on Golightly Street.

**Service concept:** The City is in the process of creating an Urban Redevelopment Area in order to obtain the authority to inspect structures in the target area without invitation. We would then demolish or force the renovation of up to 26 of the substandard structures in the

neighborhood. This will reduce crime in the neighborhood and slow the decline in property values. The City will attempt to purchase all the unoccupied/available parcels in the area of Golightly Street for future redevelopment. The City would land bank as many vacant and uninhabitable parcels in the remaining target area as possible, including those lots that are already vacant for further affordable housing development. The City will provide maintenance of purchased lots, improving the appearance of the neighborhood. Upon acquisition of these lots it will enable rental opportunities to house low and moderate income residents and stabilize this distressed community. A housing market assessment was completed. The City of Fairburn retained the services of Real Property Research Group to conduct a market analysis. The purpose of the study is to assess local market conditions in respect to the impact of foreclosures on the local housing stock and the need for senior housing. The study is included in Appendix H.

**Future construction:** Construct a three-story, 60-unit low-to-moderate income senior facility on Golightly Street.

**Duration of project:** Demolition, property acquisition, and land banking will take at least two years. During the first two years, a Phase 1 study will be completed. Construction of the senior facility may be completed within the next five years. The County will ensure that affordable housing activity occurs within the next ten years as required under the NSP regulations.

**Leverage funding:** Attaining a \$1 million NSP 3 grant will significantly improve a QAP application for the Selected Developer. Additionally, a competitive application under the Affordable Housing Program (AHP) may be submitted from the Federal Home Loan Bank. These grants are often used to fill a gap in available financing. AHP funds may also be used to:

- acquire, construct, or rehabilitate rental housing
- provide homebuyer downpayment or closing cost assistance
- cover the cost of homebuyer pre- or post-purchase counseling

Acquiring the land and preparing the site will lower the construction cost of the rental facility, resulting in lower rents. Cost estimate for construction may be up to \$7 million.

**Long-range vision:** Locate a privately-funded assisted living facility on the corner of Margaret Street and Orchard Street.

**Other considerations:** Target area is one block from Fairburn Nursing Home, a 120-bed privately-owned facility.

### ***C. DEFINITIONS AND DESCRIPTIONS***

#### **(1) Definition of “blighted structure” in context of state or local law.**

##### **Response:**

Fulton County will utilize the adopted State of Georgia definition of blighted. The State of Georgia has adopted a definition of “blighted property, blighted, or blight”. Pursuant to Official Code of Georgia Annotated (O.C.G.A.) 22-1-1 "Blighted property," "blighted," or "blight" means any urbanized or developed property which: (A) Presents

two or more of the following conditions: (i) Uninhabitable, unsafe, or abandoned structures; (ii) Inadequate provisions for ventilation, light, air, or sanitation; (iii) An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the Governor has declared a state of emergency under state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm; (iv) A site identified by the federal Environmental Protection Agency as a Superfund site pursuant to 42 U.S.C. Section 9601, et seq., or environmental contamination to an extent that requires remedial investigation or a feasibility study; (v) Repeated illegal activity on the individual property of which the property owner knew or should have known; or (vi) The maintenance of the property is below state, county, or municipal codes for at least one year after notice of the code violation; and (B) Is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property. Fulton County will also reference the October 6, 2008, Federal Register Notice definition for blighted structures. In that notice, the definition is “blighted structure” states a *“structure is blighted when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.”*

Fulton County will ensure that the City incorporates the adopted State of Georgia definition of blighted into any contract for new construction action.

**(2) Definition of “affordable rents.”** *Note: Grantees may use the definition they have adopted for their CDBG program but should review their existing definition to ensure compliance with NSP program –specific requirements such as continued affordability.*

**Response:**

The County will require the NSP program recipients to follow the HUD regulations as set forth in 24 CFR 92.252. The County will use the Fair Market Rents (FMR) for the metropolitan Atlanta area as determined and updated by HUD each year and adjusted for utilities as the standard for rental affordability under the program. The current figures listed below were effective October 1, 2010:

**Final FY 2011 FMRs By Unit Bedrooms**

|                          | <b>Efficiency</b> | <b>One-Bedroom</b> | <b>Two-Bedroom</b> | <b>Three-Bedroom</b> | <b>Four-Bedroom</b> |
|--------------------------|-------------------|--------------------|--------------------|----------------------|---------------------|
| <b>Final FY 2011 FMR</b> | <b>\$731</b>      | <b>\$792</b>       | <b>\$881</b>       | <b>\$1,072</b>       | <b>\$1,170</b>      |

Fulton County is in the new Atlanta-Sandy Springs-Marietta, GA HUD Metro FMR Area.

**(3) Describe how the grantee will ensure continued affordability for NSP assisted housing.**

**Response:**

Fulton County shall ensure that the sale, rental, or redevelopment of abandoned and foreclosed-upon homes and residential properties remain affordable to individuals or families with incomes below 120 percent of area median income or, for units originally assisted with funds to individuals and families with incomes below 50 percent of area median income. Fulton County has adopted the affordability period requirements for the HOME Program as its standard for this program set forth in 24 CFR 92.252 (a) (c) (e) and (f) for rental housing and in 24 CFR 92.254 for homeownership housing, based on the amount of NSP funds provided for each project. Fulton County will ensure that the City adheres to these affordability regulations and that contracts on behalf of the City contain these guidelines. These periods of affordability will be determined as follows based upon the level of assistance provided per unit for homeownership housing:

| Amount of NSP funds in project | Period of affordability in years |
|--------------------------------|----------------------------------|
| Under \$15,000                 | 6                                |
| \$15,000 to \$40,000 inclusive | 11                               |
| Over \$40,000                  | 16                               |

Assistance provided through NSP will be secured by legal documents such as deed restrictions, and a loan agreement that spell out all these requirements throughout the affordability period. When there is more than one financing source (besides NSP) imposing land use restrictions on a project, the most restrictive requirements will apply to the project. Homeownership units will have recapture clauses built into the legal documents including a subordinate deed to secure debt, loan agreement and/or note will be used to enforce the required period of affordability that will allow the County to recapture the NSP investment or a portion thereof in the event the house is sold or the owner ceases to occupy it as his or her primary residence during the period of affordability. Repayments will be re-invested in the NSP program on eligible activities. The County will also annually monitor rental assisted units during the affordability period to ensure the specified units are both affordable and that the property continues to meet minimum housing quality standards.

**(4) Describe housing rehabilitation standards that will apply to NSP assisted activities.**

**Response:**

All rehabilitation and new construction funded with NSP will comply with applicable laws, codes, and other requirements relating to housing safety, quality, and habitability, in order to sell, rent, or redevelop such homes and properties. The minimum code to be followed will be standards required by Fulton County Housing code or the city's housing standards if located in a municipality within the County or the Minimum Standard Georgia Building Codes. Rehabilitation in excess of the above minimum standards may be undertaken in order to incorporate modern, green building and energy-efficiency improvements which will enhance long-term affordability. Information on these codes is available at <http://www.dca.state.ga.us/development/constructioncodes/programs/codes2.asp>

The proposed multifamily building shall be constructed based upon LEED (Leadership in Energy and Environmental Design) program through Southface Responsible Solutions for Environmental Living and U.S. Green Building Council (USGBC). This program "developed by the U.S. Green Building Council (USGBC), the Leadership in Energy and

Environmental Design (LEED) Green Building Rating System™ is the nationally accepted benchmark for the design, construction and operation of high performance green buildings.” According to Southface this program is an initiative designed to promote the transformation of the mainstream homebuilding industry toward more sustainable practices. A green building uses less energy, water and natural resources; creates less waste; and is healthier and more comfortable for the occupants. Benefits of LEED multifamily buildings include but are not limited to lower energy and water bills for the tenants; lower operating cost and increased asset value; reduce waste, reduced greenhouse gas emissions; and less exposure to mold, mildew and other indoor toxins. LEED certifications are based upon a combination of factors including but not limited to public transportation access, incorporation of reusable building materials into the construction, building materials obtained within a 500 hundred mile radius of the project, construction waste management plus education of the property management on maintenance and education of the tenants on green awareness and education.

#### ***D. LOW INCOME TARGETING***

**Identify the estimated amount of funds appropriated or otherwise made available under the NSP to be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50 percent of area median income: \$250,000**

***Note: At least 25% of funds must be used for housing individuals and families whose incomes do not exceed 50 percent of area median income.***

#### **Response:**

The City of Fairburn will enter into an agreement with a qualified Development Partner(s) for the demolition and future construction of housing. The current residents of the target area are a mix of lower-income property owners and renters. The proposed population to be served by these funds will be low-to-moderate income seniors through the creation of a 60-unit senior housing facility. The County will make every effort possible to try and develop affordable rental opportunities for this population. The County will monitor the progress toward meeting the 25% investment requirement as a part of its quarterly progress assessment process.

#### ***E. ACQUISITIONS & RELOCATION***

**Indicate whether grantee intends to demolish or convert any low- and moderate-income dwelling units (i.e., ≤ 80% of area median income).**

#### **Response:**

| <b>Question</b>  | <b>Number of Units</b> |
|--|------------------------|
| The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.                       | 20-26                  |
| The number of NSP affordable housing units made available to low- , moderate-, and middle-income households—i.e., ≤ 120% of area median income—reasonably expected to be produced by activity and income level |                        |



|   |    |
|---|----|
| as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).          | 58 |
| The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income. | 24 |

#### Demolition or Conversion of LMI Units—

The County plans on demolishing any units deemed to violate code. There are four planned acquisitions units that will result in displacement. If any should occur the County will ensure that the City complies with Relocation Act guidance. The County is committed as a policy to provide full relocation benefits and ensure that bona fide tenants in affected properties receive proper treatment pursuant to the rules and regulations of the Uniform Relocation Acquisition Policies Act of 1970, as amended. The County will offer assistance through the Housing Emergency and Transitional Office.

Land Banking would be used to maintain, assemble, facilitate redevelopment of, market, and dispose of undeveloped properties. In no case will the property be held in excess of ten (10) years without obligating it to an eligible NSP use. A copy an overview of the City of Fairburn's Land Banking Plan is located in Appendix G.

The City of Fairburn is in the process of creating an Urban Redevelopment Area in order to obtain the authority to inspect structures in the target area without invitation. The City would then demolish or force the renovation of at least 20 of the substandard structures in the neighborhood. This will reduce crime in the neighborhood and slow the decline in property values. The City will attempt to purchase all the unoccupied/available parcels for future redevelopment. Afterwards, the city would land bank as many vacant and uninhabitable parcels in the remaining target area as possible, including those lots that are already vacant for further affordable housing development. The City will provide maintenance of purchased lots, improving the appearance of the neighborhood. Upon acquisition of these lots it will enable rental opportunities to house low and moderate income residents and stabilize this distressed community.

The Lightin' Community is primarily made up of small lots containing older single family-detached residential structures. There are approximately 26 houses in the neighborhood that were constructed by Habitat for Humanity. All but four of these are units have been identified with occupied persons. There are a number of vacant lots due to earlier demolition efforts, and many vacant structures. Many of the remaining unoccupied structures are substandard. An address listing is included in Appendix F.

The existing Fairburn's downtown is small and offers a limited amount of services and amenities. However, downtown does not offer housing. Most of the businesses are used/antique related stores with the exception of few restaurants. The historic buildings along Broad Street from Campbellton Street to Dodd Street are in poor condition (single story) and require restoration. In general the downtown lacks cohesive pedestrian infrastructure, mix of uses, gateways and facilities; sidewalks, streetscapes, defined parking, lighting, signage, and landscape. The City was recently selected to participate in the Atlanta Regional Commission's (ARC) Community Choices 2011-2012 Implementation Assistance program. The Community Choices team will help the City to develop an overlay district for the Roosevelt Highway corridor, with the main focus being the historic downtown area. A copy of the memo is in Appendix B

## ***F. PUBLIC COMMENT***

**Provide a summary of public comments received to the proposed NSP Substantial Amendment.**

### **Response:**

A comprehensive effort was undertaken to disseminate draft versions of this Substantial amendment/application in conformance with the County's Citizen Participation Plan. The County placed advertisements to notify the public of the document's availability in several newspapers: Neighbor Newspapers: Roswell Neighbor, Atlanta North Fulton Neighbor, and South Fulton Neighbor, The Daily Report, Atlanta Inquirer, and Mundo Hispanico. Reoccurring public service announcements were also featured on the County's cable station FGTV (Fulton Government Television). Additional, clips of the televised public meetings were featured on FCTV. FGTV's original programming informs citizens about services that are available in Fulton County.

The document was also made available to the public on the County's web site Monday, January 31, 2011, and hard copies were available at the below locations:

Fulton County Department of Housing  
and Human Services  
137 Peachtree Street, SW, Suite 300,  
Atlanta, GA 30303

Atlanta-Fulton County Main Library  
1 Margaret Mitchell Square, S.W.,  
Atlanta, GA 30303

South Fulton County Service Center  
5600 Stonewall Tell Rd.,  
College Park, GA 30349

Southwest Regional Public Library  
3665 Cascade Rd., S.W., Atlanta, GA  
30331

South Fulton Library  
4055 Flat Shoals Road,  
Union City, GA 30291

North Fulton Service Center  
7741 Roswell Rd.,  
Sandy Springs, GA 30350

Roswell Public Library  
115 Norcross St,  
Roswell, GA 30075

Fulton County Government Service  
Center  
5440 Fulton Industrial Boulevard,  
Atlanta, GA 30336

College Park Library  
3647 Main St  
College Park 30337

Fairburn Branch Library  
60 Valley View Drive  
Fairburn, GA 30213

At the close of the 15-day comment period Tuesday, February 15, 2011, comments received were reviewed, summarized in and included in the final document. A total of two public hearings were scheduled to allow the public the opportunity to comment on the County's plan. Comments have been summarized in Appendix C.

The City of Fairburn conducted a townhall meeting to solicit community input regarding the proposed projects. The meeting was held Thursday, April 7, 2011 to a large audience of citizens, business owners, and church leaders were in attendance. The City advertised the

meeting on the City website, in City Hall buildings and other local public buildings such as the public library, and during City Council meetings.

***NSP INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)***

|   |  |  |                   |               |             |          |
|---|--|--|-------------------|---------------|-------------|----------|
| Activity # 1  | Demolition   |  |                   |               |             |          |
| Use   | <input checked="" type="checkbox"/> Eligible Use D: Demolition   |  |                   |               |             |          |
| CDBG Activity or Activities   | As part of an activity delivery cost for an eligible activity as defined in:<br>24 CFR 570.201(d) Clearance for blighted structures only.  |  |                   |               |             |          |
| National Objective  | Benefiting low, moderate and middle income persons, as defined in the NSP Notice: > 120 % AMI Low Moderate Middle Income Housing (LMMH)  |  |                   |               |             |          |
| Activity Description  | Demolition of blighted structures within designated NSP3 areas.<br><br>Demolition activities will help secure areas devastated by foreclosure, property abandonment and vacant homes. To also stabilize areas and prevent further deterioration and decline in property values. Demolition will enhance quality of life in eligible areas by removing blighted and abandoned structures. This activity will provide stability to local housing markets by removing blighted structures in neighborhoods comprised of (at least) 51% of households at or below 120% AMI. Removal of these units will provide the possibility of future redevelopment. |  |                   |               |             |          |
| Location  | The County intends to work with its Code Enforcement Department and the City of Fairburn to identify eligible properties within the required parameters of the third round of the grant in the specified location of greatest needs from the mapping tool. A property listing is listed in Appendix F.   |  |                   |               |             |          |
| Budget  | <table border="1"> <tr> <td>Source of Funding</td><td>Dollar Amount</td></tr> <tr> <td>NSP 3 total</td><td>\$80,000</td></tr> </table>   |  | Source of Funding | Dollar Amount | NSP 3 total | \$80,000 |
| Source of Funding   | Dollar Amount  |  |                   |               |             |          |
| NSP 3 total   | \$80,000   |  |                   |               |             |          |
| With regard to HUD properties, it is hoped that other development and financing tools can be used in this program including discounts available for properties in HUD's Revitalization Areas and Private lenders with available inventory in the County eligible for acquisition. No other financial sources have been identified at this time. |  |  |                   |               |             |          |
| Performance Measures  | Demolition/clearance of up to 26 homes.  |  |                   |               |             |          |

|                          |                               |   |
|--------------------------|-------------------------------|---|
| Projected Start Date     | April 1, 2011                 |   |
| Projected End Date       | April 1, 2014                 |   |
| Responsible Organization | Name                          | Fulton County Government<br>Housing and Human Services                              |
|                          | Location                      | 137 Peachtree Street, SW<br>Atlanta, GA 30303                                       |
|                          | Administrator<br>Contact Info | Troy D. White<br>Telephone: 404-613-7944<br>Email:<br>troy.white@fultoncountyga.gov |

|                             |   |
|-----------------------------|---|
| Activity # 2                | NSP New Construction of Housing   |
| Use                         | <input checked="" type="checkbox"/> Eligible Use E: Redevelopment   |
| CDBG Activity or Activities | <p>As part of an activity delivery cost for an eligible activity as defined in:</p> <p>24 CFR 570.201(a) Acquisition,<br/>(b) Disposition,<br/>(c) Public facilities and improvements,<br/>(e) Public services for housing counseling, but only to the extent that counseling beneficiaries are limited to prospective purchasers or tenants of the redeveloped properties,<br/>(i) Relocation, and<br/>(n) Direct homeownership assistance (as modified below).</p> <p>24 CFR 570.202 Eligible rehabilitation and preservation activities for demolished or vacant properties.</p> <p>24 CFR 570.204 Community based development organizations.</p> <p>HUD notes that any of the activities listed above may include required homebuyer counseling as an activity delivery cost.</p> <p>New construction of housing is eligible as part of the redevelopment of demolished or vacant properties.</p> |
| National Objective          | Benefiting low, moderate and middle income persons, as defined in the NSP Notice: meeting the required 25% set-aside for individuals and families with incomes at or below 50 percent of the area median income.  |

|                      |   |               |  |
|----------------------|---|---------------|--|
| Activity Description | <p>Redevelop demolished or vacant properties. NSP 3 Eligible Activity – Project Description – New Construction</p> <p>The County plans on redeveloping demolished and/or vacant properties that are substandard. This initiative will help stabilize neighborhoods and/or redevelop housing stock and regain population to areas hard hit by foreclosures and abandonment. This activity will provide stability to local housing markets by redeveloping vacant or previously blighted properties and provide energy efficient units that are available for households at or below 120% AMI. These units will provide stabilization to the neighborhood through occupancy of vacant units' thereby arresting further decline of the neighborhood.</p>   |               |  |
| Location             | <p>The County intends to work with its Code Enforcement Department and the City of Fairburn to identify eligible properties within the required parameters of the third round of the grant in the specified location of greatest needs from the mapping tool.</p>   |               |  |
| Budget               | Source of Funding   | Dollar Amount |  |
|                      | NSP 3:  | \$860,000     |  |
|                      | Other   |               |  |
|                      | Other   |               |  |
| Performance Measures | <p>The City is in the process of creating an Urban Redevelopment Area in order to obtain the authority to inspect structures in the target area without invitation. The City would then demolish or force the renovation of up to 26 of the substandard structures in the neighborhood. This will reduce crime in the neighborhood and slow the decline in property values. The City will attempt to purchase some unoccupied/available parcels future redevelopment. Afterwards the city would land bank as many vacant and uninhabitable parcels in the remaining target area as possible, including those lots that are already vacant for further affordable housing development. The City will provide maintenance of purchased lots, improving the appearance of the neighborhood. Upon acquisition of these lots it will enable rental opportunities to house low and moderate income residents and stabilize this distressed community.</p> |               |  |
| Projected Start Date | April 1, 2011   |               |  |

|                          |                               |   |
|--------------------------|-------------------------------|---|
| Projected End Date       | April 1, 2014                 |   |
| Responsible Organization | Name                          | Fulton County Government<br>Housing and Human Services                              |
|                          | Location                      | 137 Peachtree Street, SW<br>Atlanta, GA 30303                                       |
|                          | Administrator<br>Contact Info | Troy D. White<br>Telephone: 404-613-7944<br>Email:<br>troy.white@fultoncountyga.gov |

|                             |  |   |
|-----------------------------|--|---|
| Activity # 3                |  |   |
| Use                         | □ Administration   |   |
| CDBG Activity or Activities | As part of an activity delivery cost for an eligible activity as defined in:<br>24 CFR 570.206                 |   |
| National Objective          | N/A  |   |
| Activity Description        | Administration will be utilized for the oversight of the program and for the use of administering the program. |   |
| Location                    | 137 Peachtree Street SW, 3 <sup>rd</sup> floor Atlanta GA 30303 and 227 East Broad Street Fairburn, GA 30      |   |
| Budget                      | Source of Funding  | Dollar Amount   |
|                             | NSP 3: Planning and Administration   | \$60,000  |
| Performance Measures        | N/A  |   |
| Projected Start Date        | April 1, 2011  |   |
| Projected End Date          | April 1, 2014  |   |
| Responsible Organization    | Name   | Fulton County Government<br>Housing and Human Services                              |
|                             | Location   | 137 Peachtree Street, SW<br>Atlanta, GA 30303                                       |
|                             | Administrator<br>Contact Info  | Troy D. White<br>Telephone: 404-613-7944<br>Email:<br>troy.white@fultoncountyga.gov |

### **Planning and Administration**

Administration funds will be used by the County for all eligible activities under the Act. These include staffing costs related to general management, financial processing, reporting performance measures to HUD, planning, oversight, monitoring and program coordination as well as related direct and indirect costs. All eligible costs related to the acquisition, rehabilitation or new construction and disposition will be attributed to each individual project and applied towards the basis costs of each housing unit. The County's Housing and Community Development Office will be responsible for the day to day management of the NSP III Program. The County is allocating 6% of the total grant in the amount of \$60,000 towards program planning and administration.

### **Additional Requirements**

The County will ensure that the City of Fairburn includes in its contractual agreements requirements that developers make a good faith effort to involve minority and women owned businesses as contractors and subcontractors when working on federally funded projects. Fulton County Government's internal policy mandates that small businesses, businesses owned by women and businesses owned by minorities have a fair and equal opportunity to participate in the County's purchasing process. The Office of Housing and Community Development will provide the registered Fulton County's Department of Purchasing & Contract Procurement Services vendors' listing to the City for them to forward to the selected development partner. This would assist with ensuring that vicinity hiring is achieved. Fulton County will also ensure that the City's selected Development partner agreement contain the following provision: to the maximum extent feasible, will provide for the hiring of employees who reside in the vicinity of projects funded by NSP 3 or contract with small businesses owned and operated by persons residing in the vicinity of such projects.

| Goals   | Outputs/Measures   | Outcomes  |
|---|--|---|
| <ol style="list-style-type: none"><li>1) Attract new residents to target area.</li><li>2) Remove blighting influences and vacant structures.</li><li>3) Improve property values and stabilize tax base.</li></ol> | Demolish up to 26 vacant and dilapidated substandard units | <ol style="list-style-type: none"><li>1) Lower vacancy rate</li><li>2) Stabilized population and property values</li><li>3) Revitalize downtown in a simultaneous but unrelated initiative, funded in part by \$1 million of bond proceeds approved by City voters in the November, 2010 referendum.</li><li>4) Sell the remaining vacant lots over time for construction of in-fill single-family residential units.</li></ol> |

## Fulton County NSP 3 Substantial Amendment

The County is proposing under the State's NSP 3 application the following estimated budget:

| Activity                    | Total              |
|-----------------------------|--------------------|
| Demolition                  | \$80,000           |
| Redevelopment               | \$610,000          |
| Set-aside Requirement       | \$250,000          |
| Planning and Administration | \$60,000           |
| <b>Total</b>                | <b>\$1,000,000</b> |



## **CERTIFICATIONS**

(1) **Affirmatively further fair housing.** The jurisdiction certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.

(3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

(4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.

(6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.

(7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.

(9) **Following a plan.** The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD. [Only States and entitlement jurisdictions use this certification.]

(10) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.

(11) **The jurisdiction certifies:**

- a. That all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and
- b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(16) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(17) **Development of affordable rental housing.** The jurisdiction certifies that it will be abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

**CERTIFICATION SIGNATURE PAGE**

***FULTON COUNTY***

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John H. Eaves, Chairman  
Fulton County Board of Commissioners

***ATTEST***

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Mark Massey, Clerk to the Commission  
Fulton County Board of Commissioners

***DATE:***

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***SEAL:***

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Troy D. White., Director  
Housing and Human Services Department

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Lolita S. Collins, Community Development Manager  
Housing and Human Services Department

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Office of the Fulton County Attorney

***DATE:***

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